

ILLINOIS DEPARTMENT OF PUBLIC HEALTH  
OFFICE OF HEALTH CARE REGULATION  
**LONG TERM CARE FACILITY ADVISORY BOARD MEETING**  
**May 16, 2019 • 10:00 AM – 12:00 PM**

**APPROVED MEETING MINUTES**

**I. CALL TO ORDER AND INTRODUCTIONS**

Connie Jensen called to order at 10:00 a.m.

**MEMBERS PRESENT:** Patrick Baalke, Ronald Nunziato, Dr. Alma Labunski, Candice Moore, Mark McCurdy, Dr. Albert Maurer, Mike Bibo, Karen Christensen, Kelly Richards, and Martin Gorbien

**MEMBERS NOT PRESENT:** George Bengel

**IDPH REPRESENTATIVES:** George Logan, Sean Dailey, Henry Kowalenko, Jennifer Uhles, Erin Conley, Sherry Barr, Sara Wilcockson, Ayana Thomas, Randy Carey-Walden, and Tena Horton

**GUESTS:** Sherry Mitchell, Nick Lynn, John Cirn, Lori Hendron, Wendy Meltzer  
Kevin Taylor, Bill Bell, and Sam Ehloe, and  
Lester Robertson

**II. APPROVAL OF MEETING MINUTES**

Connie Jensen asked was there any discussion on the meeting minutes from the November 15, 2018 meeting. Quorum was established. Motion was moved to accept the minutes as written. Karen Christensen motioned; and Dr. Maurer seconded. Unanimously voted and the minutes were approved.

**III. MEMBERSHIP UPDATE**

Board still has vacancies for the Resident Advisory Council Member and the Advocacy Legal Assistant. Ronald Nunziato was introduced to the Board. He replaced Pamela Blatter's position. Kelly Richards was also introduced as the new States Ombudsman. Kelly advised the Board that Julie Brennan was replaced by Lawrence Wagner. No application has been presented to the Office of Health Care Regulation for Mr. Wagner. Discussion regarding the difficulty of filling the Resident Advisory Council Member vacancy.

**IV. RULE UPDATES**

Sean Dailey presented the amendments regarding Sections 300, 300.660, 300.661, 300.663, 300.120, Part 395, P.A. 099-822, and P.A. 100-217. The Board requested clarification regarding verbiage of some of the amendments presented. The various recommendations were discussed with the Board. Mike Bibo motioned to adopt the provisions as suggested as amended for Life Safety codes; seconded by Karen Christensen. Unanimously voted and motion carried.

There was a brief discussion about having the drafted amendments added to the Department's website to be made available to the public for review. It was advised by Legal Counsel that it would not be a good idea to upload drafted amendments as they are not publicly available.

Administrative Rules & Procedures (ARP) presented the amendments for statutory language to Sections 300.660 and 300.661. Brief discussion/clarification on Certified Nursing Assistants. Mike Bibo motioned to adopt as amended; seconded by Dr. Maurer. Unanimously voted and motion carried. Motion was amended to include Section 300.663. Unanimously voted and motion carried.

ARP informed the board that Part 973 New Dementia Requirements were established to address requirements and they will be adopting soon. 300.120 Application for Licensure Facility-Specific Email address is included in another section of Part 300 and has been drafted and is pending review. May be available in August 2019. P.A. 100-217 Nurse Waivers' language for this rulemaking is underway. ARP is currently drafting the Act and hopefully go through the approval process will depend if available for the August meeting as well.

Part 395 Long-Term Care Assistants and Aides Training Program amendments was facilitated by Randy Calden-Walden from IDPH Training and Technical Direction who provided a brief description regarding educational requirements. There were questions and various recommended changes/correction to the rules, along with a brief discussion regarding the Health Care Worker Background Check Registry and the BSN language. Dr. Maurer motioned to adopt the amendments with revisions discussed; seconded by Karen Christensen. Unanimously voted and motion carried. This rule will also be presented at the upcoming Developmentally Disabled Facility Advisory Board meeting the following week.

#### **IV. OLD BUSINESS**

##### ***A. Status of Distressed Facility Rules and Proposed Legislative Revision***

The Board addressed that they are still in the process of addressing this legislatively. It is in progress and could possibly be into the agenda this Fall or Spring. Possibility could be presented in the next Veto session. Discussion on why there is a lapse in submission.

##### ***B. Status of Informed Consent Form and Website Development***

Currently, unable to address at this time. IDPH is working on the development and Bureau Chief was unavailable to provide current progress. Will be addressed at another time.

##### ***C. Discussion of a Change to the Emergency Medication Kits Requirement***

Greg Mohanis was unavailable to present and ask to postpone to the next LTC Advisory Board meeting.

##### ***D. Drug Regimen Review:***

ARP informed the Board that the review is under draft-form for Parts 300, 340, 350 and 390. These will be combined with other statutory amendments and is now going through the process of various approvals. The goal is to present all amendments to the Board in August. Sam Ehloe (Pharmacy Consultant) recommended to change the administrative code and eliminate the words "that consulting needs to be done at the facility". Discussion on the lengthy process to obtain approval/adoption.

##### ***E. Status of Suggested Revisions to the LTC Facility Advisory Board By-Laws:***

IDPH Legal Counsel, Jennifer Uhles, informed the Board that some of the language is contrary to the Open Meetings Act (OMA) regarding physical presence. Section 2.01 of OMA does not require physical presence for an advisory board. It is suggested that the by-laws be revised once more

and remove the language and allow for attendance via telephone, along with a few other revisions. The revised by-laws will be presented at a future meeting.

**F. *Electronic Monitoring Devices:***

Discussion on the current electronic devices (i.e., Alexa, Amazon Echo, Google Home) in which families keep connected to their family member. The problem with these devices is that they are always recording and capturing confidential information. IDPH contacted various other States regarding this issue. Many responded back and indicated that they did not see it as an issue. IDPH Legal Counsel did not see an issue, as well. It was noted that many Physicians may not want to treat residents as well as other staff members. Possible future discussion after consulting with the Attorney General's Office and having internal discussions.

**G. *Medical Marijuana Use in LTC Facilities:***

This topic will be an ongoing discussion. A lot of facilities are being approached by residents wanting to come to the facility with the use of medical marijuana. Considerations and guidance should be provided by the Department with regard to healthcare facility usage and how medical marijuana can be controlled; possible liability to the facility. Discussions have been conducted and the Department will find out what information CMS will let be released.

**V. NEW BUSINESS**

**A. *Short Summary on the New ePOC Initiative:***

The Department have 60 facilities who have not registered for access to ePOC out of 728 facilities that are eligible to register. The Department is at 92% compliance currently. The biggest glitch is the facilities had their corporate offices register versus the facility. Progression going smoothly overall.

**SPECIAL NOTE:** Connie Jensen announced to the Board that Kim Stoneking has resigned his position as the Regional Supervisor for Peoria and Champaign. She will be the new Regional Supervisor until further notice.

**B. *SB1510 and Its Proposed Changes to the LTC Advisory Board:***

The Board was informed that SB1510 has passed the House and is now in the Senate. The House amendment was agreed to by some of the associations and various other groups. It did not make its deadline and is back in Rules.

**C. *Proposed 2020 LTC Facility Advisory Board Meeting Dates:***

January 20<sup>th</sup>, April 20<sup>th</sup>, July 20<sup>th</sup> and October 19, 2020

**D. *FYI:*** Advised Board member that the new accounting system does not allow for withholding taxes from their travel reimbursement monies.

**VI. NEXT MEETING**

Next Board Meeting is August 15, 2019 at 10:00 am

Agenda items to Tena Horton at [tena.horton@illinois.gov](mailto:tena.horton@illinois.gov) by July 29, 2019.

Confirm attendance to Tena Horton at [tena.horton@illinois.gov](mailto:tena.horton@illinois.gov) by August 8, 2019.

Connie Jensen asked for a motion to adjourn. The motion to adjourn was made by Mike Bibo; seconded by Karen Christensen. Meeting was adjourned at 1:03 p.m.